

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to Figs. 1 and 2. This sheet, which includes Figs. 1 and 2, replaces the original sheet including Figs. 1 and 2.

Attachment: Replacement Sheet (1)

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 28-51 are presently active in this case. The present Amendment cancels Claims 1-27 without prejudice or disclaimer, and adds new Claims 28-51 without introducing any new matter.

The outstanding Office Action objected to Figures 1 and 2 as not being labeled as being background art, and objected to the Specification for minor formal issues. Claims 4-16 and 21-27 were objected to under 37 C.F.R. § 1.75(c) as being in improper multiple-dependent form. Claims 1-3 and 17-20 were rejected under 35 U.S.C. § 102(e) as anticipated by Orlowski et al. (U.S. Patent No. 6,921,700, hereinafter “Orlowski”).

In response to the objection to the drawings, submitted herewith is a Letter Submitting Drawing Sheets along with one Replacement Sheet for Figs. 1-2, labeling these Figures as being background art. No new matter has been added.

In response to the objection to the specification regarding a formal issue in paragraph [00010], this paragraph is amended to recite “bars 202” instead of “bar 200,” to correspond to Applicants’ Figs. as suggested by the pending Office Action. The change is only formal in nature, and no new matter has been added.

To better comply with U.S. claim drafting practice, to address the objections to the claims as being in improper multiple-dependent form, and to correct minor formalities, Claims 1-27 are cancelled without prejudice or disclaimer, and new Claims 28-51 are presented. New Claims 28-51 find non-limiting support in Applicants’ disclosure as originally filed. For example, independent Claim 28 finds non-limiting support in Applicants’ disclosure as originally filed, where a notched profile is shown with respect to the reference numeral 403 in Fig. 4, and at p. 13, l. 24, to p. 14, l. 3, and in Applicants’ Fig.

5, and in the specification at p. 14, ll. 4-16. The above references to Applicants' specification are done to show support in the disclosure, and are not intended to limit the scope of the claims in any matter.

In response to the rejection of Claims 1-3 and 17-20 under 35 U.S.C. § 102(e), Applicants respectfully request reconsideration of this rejection and traverse the rejection, as discussed next.

Briefly summarizing, Applicants' independent Claim 28 relates to a field-effect microelectronic device. The device includes a substrate, and a least one structure forming one or more channels capable of connecting, in the direction of their lengths, one or more sources and one or more drains, which structure is formed by a stack, in a direction orthogonal to a main plane of the substrate, of at least two bars having different widths thereby producing a notched side profile of the stack. Moreover, the stack includes an ***alternation of conducting bars and bars that are based on an insulating material.***

Turning now to the applied reference, Orlowski is directed to a transistor 10 that overlies a substrate 12 that has a plurality of overlying channels 16, 18, 20, 22, 24 that are stacked. (Orlowski, Abstract, lines 1-3, Figs. 8-10.) The stacked layers 16, 18, 20, 22, and 24 are semiconductor layers, and the layers 18, 22 inside the stack have cavities 40, 42 with thin oxide layers 50, 54 that are formed on the inner surface of the cavities 40, 42. (Orlowski, col. 4, ll. 43-55, Fig. 8.) However, Orlowski fails to teach that the stack includes an alternation of conducting bars and bars that are based on an insulating material, as required by Applicants' independent Claim 28.

Therefore, Orlowski fails to teach every feature recited in Applicants' Claim 28, so that Claims 28-32 are believed to be patentably distinct over this reference. Accordingly,

Applicants respectfully traverse, and request reconsideration of the rejection based on Orlowski.¹

Moreover, Orlowski fails to teach all the features of Applicants' dependent claims. For example, dependent Claim 30 recites that at least one of the bars are at least partially surrounded with insulating caps, in a direction parallel to a main plane of the substrate. However in Orlowski only the side walls of the stack is covered with an oxide film 52 and 56. (Orlowski, Fig. 8, col. 4, ll. 50-54.) Side walls of a stack that are covered with an oxide film, as taught by Orlowski, **are not** bars that are partially surrounded with insulating caps, as recited in Applicants' Claim 30. Therefore, Applicants also respectfully request reconsideration of the features that are recited in the dependent claims.

Independent Claims 33, 40 and 46 recite features that are analogous to the features recited in independent Claim 28. In addition, independent Claim 33 further recites that some of the bars being at least partially surrounded with insulating caps, as argued with respect to Applicants' dependent Claim 30. Accordingly, for the reasons stated above for the patentability of Claim 28, Applicants respectfully submit that the rejections of Claims 33, 40 and 46, and the rejections of all associated dependent claims, are also believed to be overcome in view of the arguments regarding independent Claim 28.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 28-51 is earnestly solicited.

¹ See MPEP 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

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